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OCT 25 2002

In re Application of : **OFFICE OF PETITIONS**
Murdin et al. :
Application No. 09/391,606 : **DECISION ON PETITION**
Filed: September 7, 1999 :
Attorney Docket Number: :
1038-971-MIS :

This is a decision on the petition under 37 CFR 1.137(b), filed October 7, 2002, to revive the above-identified application.


This above-identified application became abandoned for failure to timely and properly reply to the non-final Office Action mailed on February 22, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time having been obtained, the above identified application became abandoned on August 23, 2002. An amendment and request for a three (3) month extension of time were filed on August 23, 2002, however the maximum extendable period for a reply had expired. The mailing of this decision precedes the mailing of a Notice of Abandonment.

Having found that all requirements for the filing of a grantable petition under 37 CFR 1.137(b) have been met, this Petition is hereby **granted**.

Because the extension of time request was received after the maximum extendable period for reply had expired, a refund of the extension of time fee, \$920.00, has been scheduled.

This application is being forwarded to Technology Center AU 1632 for processing of the Amendment filed August 23, 2002.

Telephone inquiries concerning this matter should be directed to The undersigned at (703) 305-0014.


Derek L. Woods
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy